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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 CEDRIC WOODS,

12 Plaintiff,

No. CIV S-03-1976 GEB PAN P

13 vs.

14 D.L. RUNNELS, et al.,

15 Defendants.

ORDER

16 _____/
17 Plaintiff, a state prisoner proceeding pro se, has
18 filed this civil rights action seeking relief under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On June 3, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on all parties and
24 which contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.
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1 Defendant has filed objections to the findings and
2 recommendations.

3 In accordance with the provisions of 28 U.S.C.
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a
5 de novo review of this case. Having carefully reviewed the
6 entire file, the court finds the findings and recommendations to
7 be supported by the record and by proper analysis.

8
9 Accordingly, IT IS HEREBY ORDERED that:

10 1. The findings and recommendations filed June 3,
11 2005, are adopted in full; and

12 2. Defendant's October 20, 2004, motion to dismiss is
13 denied and defendant is directed to file and serve an answer
14 within 30 days.

15 Dated: June 28, 2005

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17 /s/ Garland E. Burrell, Jr.
18 GARLAND E. BURRELL, JR.
19 United States District Judge
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